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2855

PATENT
1560-0377P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: T. TOKUMOTO et al. Conf.: 2026
Appl. No.: 10/081,518 Group: 2855
Filed: February 25, 2002 Examiner: OCTAVIA L. DAVIS
For: ROTATIONAL ANGLE DETECTING DEVICE,
TORQUE DETECTING DEVICE AND STEERING
APPARATUS

PETITION REQUESTING THE RESPONSE PERIOD
BE RESTARTED UNDER MPEP § 710.06
BECAUSE OF INACCURATE MAIL DATE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 12, 2004

Sir:

This is a Request under MPEP § 710.06 that the response time period be restarted in connection with the above-identified application because of a defect in the Office Action dated July 14, 2004.

The U.S. Patent and Trademark Office alleges that the mailing date of the Office Action is July 15, 2004.

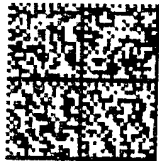
The postmark on the envelope in which the Office Action was mailed is August 5, 2004. The alleged mail date is a full three weeks before the actual mail date almost one quarter of the period for response has expired before receipt of the Office Action.

Organization **TC2800** Bidg./Room **Jeff**
U. S. DEPARTMENT OF COMMERCE
COMMISSIONER FOR PATENTS

P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
IF UNDELIVERABLE RETURN IN TEN DAYS

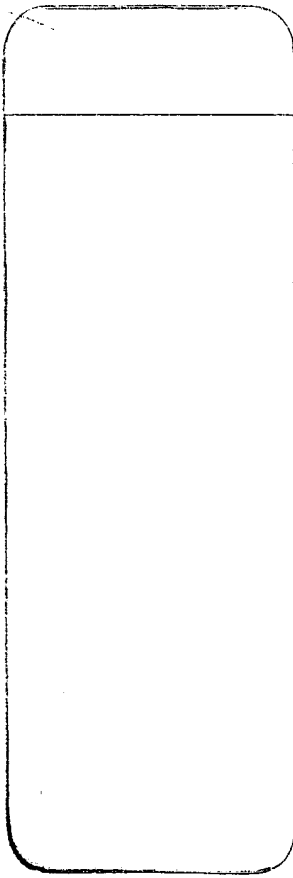
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AUG 05 2004



The undersigned needs to communicate with foreign applicant and this communication should not be impaired due to the reduction of the response period. This is in effect a random denial of the process where some applicants are entitled to significantly less response time than other applicants. This may harm our ability to prepare a comprehensive response without need for extension of time. Since extensions of time could reduce statutory patent term extension, this action creates at least a substantial possibility of a taking of term from the patent which is a random taking without due process. This creates an extraordinary situation making restart of the period appropriate.

If the petition is denied, it is requested it be treated as a Request for Reconsideration and to be decided by the Petition Office.

Since the Petition is required due to an inappropriate action on the part of the U.S. Patent and Trademark Office no petition fee is required.

If the Examiner has any questions regarding the above matters,
please contact the undersigned at the telephone number listed
below.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Michael K. Mutter, #29,680

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(Rev. 02/13/2004)



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,518	02/25/2002	Yoshitomo Tokumoto	1560-0377P	2026

2292 7590 07/14/2004

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EXAMINER

DAVIS, OCTAVIA L

ART UNIT

PAPER NUMBER

2855

DATE MAILED: 07/14/2004

DOCKETED

10/14/04

Amend

Please find below and/or attached an Office communication concerning this application or proceeding.

Please see date received
Stamp on the back of this
page.